

REMARKS

For the purpose of examination of the present application, Applicants elect Species “(a) examining nucleic acids”, with HTLV-1 gene as the nucleic acids, with traverse.

Claims 1, 2, 3, 5, 6, 7 10, 13 and 14 are directed to the elected species. As acknowledged by the Examiner, at least claims 1, 7, 11 and 12 are generic.

In accordance with MPEP § 803, if the search and examination of an entire application can be made without serious burden, the Examiner *must* examine it on the merits, even though it includes claims to independent or distinct inventions. Since claims 7, 11 and 12 depend from claim 1 and are directed to a method for examining a sample as recited in claim 1, by searching one group the Examiner is necessarily searching the other group since the claims are closely related in subject matter. Therefore, it would not be an undue burden to search all of claims 1-3, 5-7 and 10-16.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Monique T. Cole, Registration No. 60,154 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

- ☐ Attached is a Petition for Extension of Time.
- ☐ Attached hereto is the fee transmittal listing the required fees.

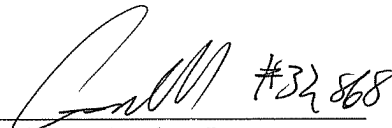
Application No.: 10/533,878

Docket No.: 0760-0346PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 13, 2007

Respectfully submitted,

By  #32868
MTC Gerald M. Murphy, Jr.
Registration No.: 28,977
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant